

Islam Question & Answer

General Supervisor:
Shaykh Muhammad Saalih al-Munajjid

226717 - I want us to get our own place but my husband refuses; what should I do?

the question

Im married to my husband for 9 years and we have 3 girls. I'm having a big problem in my marriage; since I'm married I'm living in my in-laws' house. My in-laws aren't really happy about it and give me a very hard time, but my husband refuses to move out (even though he is more than capable). I've tried nicely to ask my husband to move out for the last 6 years. My husband also has issues with respecting women due to his childhood experience. Now I'm losing my patience. I don't think I can go on any more. I've spoken to my parents and they want me to go back to my country. Now I have 3 girls who I love and care for; the oldest is 7 and the youngest is 2. I was wondering if I try to get khul', who is entitled to get the custody and can I leave for my country before getting the khul' as I don't think mentally I am capable of staying in this house far away from all my relatives any more. Please let me know what I can do according to Quran and Sunnah.

Detailed answer

Praise be to Allah.

Firstly:

One of the rights that the wife has over her husband is that he should accommodate her in separate accommodation that is appropriate for her, whilst paying attention to the husband's financial situation. The husband does not have the right to force his wife to live with his family, whether that is his mother or his sisters; rather what he is obliged to do is to give her separate accommodation of her own.

Secondly:

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Our advice to you is not to rush to go back to your family, and to have a calm discussion with your husband, explaining to him your need and your daughters' need for separate accommodation, and speak nicely to him, so that this problem can be solved in an atmosphere of mutual understanding and bearing in mind that which is in the family's best interests, far removed from tension and disputes.

Be certain that your good attitude will never be lost with Allah, and you will find good results from it in this world and the Hereafter, by Allah's leave.

Thirdly:

With regard to seeking divorce or separation (by talaq or khul'), this is not an appropriate solution for you, especially as you have children together. What wrong have they done, to deserve to live far away from their father or from their mother?

Moreover, what will their situation be, if custody is given to you or to him?

Think long and hard about that, and give it a great deal of thought, and be rational and wise, avoiding emotions such as anger and frustration.

What we advise you to do and urge you to do is to stay with your husband and be patient with the way he is with you, until Allah grants you relief and a way out. Perhaps Allah will open your husband's heart to that which is good for him and for his household. Try not to involve your parents in your problem with your husband, especially since they live far away. Give them the impression that your situation will soon be resolved, by Allah's leave, and that your circumstances will improve, so that they will not be anxious about you and your situation.

Our advice is to be forbearing and patient, and to continue trying to convince your husband of the importance of having your own place. Remember that a person may hate something, but it is good for him, as it will bring him a great deal of reward, expiate his bad deeds, and serve other interests

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which he may be unaware of at that time.

Allah the Almighty indeed spoke the truth when He said (interpretation of the meanings): "...it may be that you dislike a thing which is good for you and that you like a thing which is bad for you. Allah knows but you do not know" [al-Baqarah 2:216].

According to the famous hadith of Ibn 'Abbas, he said: I was riding behind the Messenger of Allah (blessings and peace of Allah be upon him) and he said: "O young boy, shall I not tell you of some words by which Allah may benefit you?" I said: Of course. He said: "Be mindful of Allah and He will protect you. Be mindful of Allah and you will find Him in front of you. Acknowledge Him at times of ease and He will acknowledge you (and help you) at times of hardship. If you ask, ask of Allah; if you seek help, seek help from Allah. The Pen has been lifted with regard to what will be, so if all of mankind wanted to benefit you with something that Allah has not decreed for you, they will not be able to do it, and if they wanted to harm you with something that Allah has not decreed for you, they will not be able to do it. Know that there is a great deal of good in patiently bearing what is disliked, victory comes with patience and relief comes with distress and with hardship comes ease."

Narrated by Ahmad (2803) and others; classed as saheeh by al-Albani

Finally:

Supplication (Du'a) is the weapon of the believer, so offer a great deal of supplication, asking Allah to guide your husband and reconcile between you.

We ask Allah, may He be exalted, to enable you to do all that is good and to make things easy for you.

And Allah knows best.